

THE PHILADELPHIA REGISTER, AND NATIONAL RECORDER.

VOL. I. Saturday, February 6, 1819. No. 6.

Internal Improvement.

[From the Albany Argus.]

REPORT

Of the Commissioners of the Canal Fund.

To the Honourable the Legislature.

The commissioners of the canal fund, pursuant to the directions of the act, entitled "An act respecting navigable communications between the great western and northern lakes and the Atlantic ocean," passed April 15, 1817, respectfully submit the following report:

Revenue.

The annual revenue of the fund, denominated the "Canal Fund," may, for the present, be estimated at 213,000 dollars, arising from the following sources, to wit:

Vendue duties, - - -	\$146,000
Duty on salt manufactured in the western district, - - -	48,000
Tax on steam boat passengers, - - -	19,000
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	\$213,000

Receipts during the year 1818.

The receipts of the commissioners of the canal fund, in 1818, are as follows, to wit:

Loan, - - - - -	\$200,000 00
Premium thereon, of 4 52 100 per cent. - - - - -	9,040 00
Duties on goods sold at auction, - - - - -	145,939 39
Ditto on salt manufactured in the western district, - - - - -	48,784 27
Tax on steam boat passengers, - - - - -	18,902 70
Dividend on stock in the western inland lock navigation company, - - - - -	5,060 00
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	\$427,726 36

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To which add—

Balance in the hands of the commissioners, 31st Dec. 1817, - - - - -	\$85,297 62
Balance of the canal fund, which remained in the treasury, undrawn, on the 31st Dec. 1817, - - - - -	3 63
Balance which was in the hands of one of the members of the board, after paying for books &c. &c. repaid by him in 1818, - - - - -	21 63
Total receipts in 1818, including balance remaining Dec. 31, 1817, - - - - -	<hr/>
	\$513,049 24

Payments.

To the canal commissioners, - - - - -	\$466,900 00
For interest on loans, - - - - -	16,250 00
For engraving, stationary, &c. - - - - -	180 00
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	\$483,330 00

Recapitulation.

Receipts in 1818, including balances remaining 31st Dec. 1817. - - - - -	\$513,049 24
Payments in 1818, - - - - -	483,330 00
Balance 31st Dec. 1818, deposited to the credit of commissioners in bank, - - - - -	<hr/>
	\$29,719 24

The "Canal Commissioners" were entitled to draw upon the commissioners of the "Canal Fund" in the year 1818, for the following sums, viz:

1st. The unexpended balance of the receipts in 1817, - - - - -	\$85,322 88
2d. The appropriation for the year 1818, viz: \$400,000, after deducting \$16,250, being the interest payable on the loans in 1818, and \$180 for incidental expenses, - - - - -	\$383,570 00
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Total, - - - - -	\$468,892 88

The canal commissioners have drawn, however, only - \$466,900 00

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Leaving undrawn of the appropriation of 1818, the sum of \$1,992 88

The balance standing to the credit of the commissioners of the canal fund in the bank, as before stated, \$29,719 24
From which deduct the above balance, undrawn by the canal commissioners, 1,992 88

And it will appear that there remains to constitute a part of the appropriation of \$400,000 for 1819, the sum of \$27,726 36

By the first section of the above recited act, the commissioners of the canal fund are authorised "to borrow from time to time, monies on the credit of the people of this state, at a rate of interest not exceeding six per centum per annum, and not exceeding in any one year a sum, which, together with the net income of the said fund, shall amount to 400,000 dollars." In the spring of 1818, the commissioners of the canal fund contracted with the New York State Bank, for a loan of 250,000 dollars, calculating that the income of the fund would not exceed 150,000 dollars; but before the first day of October, 1818, it was ascertained that the income would amount to 200,000 dollars. An application was therefore made by the board to the State Bank to reduce the loan, in order that it might not exceed the limits prescribed by the act, and by mutual consent it was reduced to 200,000 dollars. It now appears, however, that the income for the year 1818, has exceeded even the sum of 200,000 dollars, and that there is still a surplus beyond the 400,000, of 27,726 dollars 36 cents, to be transferred to the account of the year 1819, and to form a part of the appropriation of that year, as stated above.

All which is respectfully submitted.

JOHN TAYLER,
SIMEON DE WITT,
M. V. BUREN,
ARCH'D M'INTYRE,
GARRIT L. DOX,
J. V. N. YATES.

[FROM THE UNION.]

The sum of one million of dollars has been set apart by the legislature of South Carolina, as a fund for internal improvement. Two hundred and fifty thousand dollars to be expended annually for four successive years, in clearing out rivers, constructing roads, canals, &c.

[FROM THE WATCHMAN.]

In the Delaware senate a bill was reported for establishing a state prison or penitentiary; appropriating \$10,000 for this object, to be applied when a like sum shall be raised by donations, gifts or grants, on the part of the citizens.

Athenæum.

FOURTH ANNUAL REPORT Of the Directors of the Athenæum.

February, 1819.

In obedience to the provisions of the act of incorporation, the Directors of the Athenæum submit to the stockholders a view of the affairs of that institution for the year ending this day.

By the Treasurer's annual account it appears that the balance due to him on the 28th day of Jan. 1818, was \$ 46 16
That he has since received from the annual payments of 278 stockholders, 44 subscribers, 144 annual visitors, and sundry balances 2159 00
Cash subscribed to purchase the "Magazin Encyclopedique," and "Annales de Musée," 30 00
Interest on stock of the U. States, and Camden Bank stock 283 80
Catalogues and sundries sold 5 16
Total receipts for the year 1818 \$2477 96
And that he has expended during the year 1818 3370 82
Leaving a balance of \$ 892 86 against the Athenæum on the general account.

But it will appear by an inspection of the treasurer's account, that part of the said expenditures consist of the following items, viz.

Payment to the Stock Fund of monies borrowed from it 17th Nov. 1817 \$ 415 00
Purchase of the Magazin Encyclopedique, and Annales de Musée, on the — day of — 1815 313 20
Lamps \$40—expenses of removal \$170 210 00
Carpeting 98 00
\$1036 95

These expenditures are not of ordinary occurrence, and should not therefore be considered in a calculation of the usual expenses of the institution.

Deducting therefore this sum of \$1036 95 From the gross amount of disbursements 3370 82 Will leave for the ordinary expenses for the year 1818, the sum of 2233 05

To meet the expenditures of \$3370.82, the directors have borrowed from the mo-

nies paid in on account of the stock fund during the year 1818, the sum of \$892.86, which sum it is intended to replace immediately to the credit of that fund, which, with such addition, will constitute the gross sum of \$5624.25, vested in the 6 per cent. stock of the United States, and Camden bank stock.

The directors have hitherto determined to preserve the stock fund for the purpose of erecting at no distant period a building which shall be commensurate with the extended views of this flourishing institution, and at the same time worthy of the character of the literary metropolis of America. This fund is rapidly increasing, and has been much augmented during the last year.

The current expenses of the institution for the ensuing year will probably amount to the sum of \$2300.

To meet this expense, the revenues for the year 1819 may be estimated at \$3500, arising from the following items, viz.

The present number of stockholders is 330, at \$4 each	\$ 1320 00
150 annual visitors, at \$8 each	1200 00
41 original subscribers, at \$5	205 00
Interest of the stock fund, say \$5800, at 6 per cent.	348 00
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	\$3073 00

To this sum may be added the sum of \$400, arising from the payments of stockholders and annual visitors who shall be elected during the year 1819	400 00
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	\$3473 00

To which sum should be added the interest of shares of stock created the present year, say	27 00
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Making altogether the sum of	35,000 00
If from this sum we deduct the debt due to the stock fund, (which is to be repaid immediately) of	892 86
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It will leave the sum of	\$ 2607 14
to meet the sum of \$2300, being the estimated ordinary expenses for the year 1819.	

This statement of the funds of the Athenæum should stimulate our best exertions in its behalf, and should encourage us to anticipate at no distant period the prospect of an institution which shall have no superior in the United States.

Let us add a brief statement of the

attractions now offered to those who visit the rooms.

The library consists of about 2100 volumes, and is rapidly increasing. Twenty-one magazines, reviews, and other periodical publications, and two newspapers, are imported from England, and are usually found in the rooms within the period of two months after their publication. Three newspapers and journals are regularly received from France, and other French and Spanish journals are frequently placed on the tables by the numerous friends of the institution.

All the best periodical publications of the United States, upwards of thirty American newspapers, and almost all the late American and English books, published in our country, with many new maps, charts, &c. are constantly added to our stock.

When the brief history of this institution is remembered, the stockholders have ample reason to rejoice in its success. Their rooms offer a rich temptation at a moderate price to every class of our fellow citizens. Every reader, indeed, whether he be attracted by the fleeting literature of the hour, or would calmly investigate the laws of nature, or the rules of civil polity, may find within the walls of the Athenæum a quiet and pleasant retreat; and if he is not furnished with every book that he desires, he is at least provided with the best means of information on the state of that knowledge which he is pursuing.

To promote the literature, science, and the arts of our country, should be our aim and ambition, because they are the noblest accompaniments of a free government, and the surest strength of a powerful people. Men too frequently neglect the field of intellectual cultivation, after they have engaged in those busy scenes of active life which have no ostensible connexion with literature; sometimes because they are insensible to the value of their early acquirements; sometimes because of the expense and trouble of procuring books; but chiefly because they do not learn how easy it is to devote an hour of every day to preserve the literary stock which they have treasured up in their early years. The city library of our native place, the blessing provided for us by the sagacity of Franklin, the greatest gift he has made to

his fellow citizens, offers to us the most powerful arguments for the support of the Athenæum. He established that institution neither for the man of science, for the man of leisure or opulence, nor for the professional character alone. His aim, in which he has had such abundant success, was to diffuse the blessings of literature over the whole community, to provide a literary retreat, to which every citizen might have gratuitous access. Who can say how much of the acknowledged purity of our morals and decorum of our manners has been owing to this institution, whose directors, we may without envy be permitted to suggest, would not offend against the designs of their immortal founder, if they would learn from our institution, how grateful to the student are the refreshing studies of the *morning hours*.

In truth, our citizens need not learn from us, that the greatness of every nation consists in the intellectual wealth of its people: that nothing can be useless to man which elevates his moral condition; and that in a country where the highest stations are offered to all alike, it is peculiarly incumbent upon every one to qualify himself for such services as society may require from him. The union of literary pursuits is by no means inconsistent with a rigid application to the practical concerns of the world. The paths are sufficiently pleasant, and no man can tell how much they contribute to sooth the cares of life.

Besides providing convenient apartments, and inviting visitors to them, by curious cabinets, by the literary publications of the day, and a liberal selection of the political and commercial journals of all parties, and from every nation, it is much to be desired that the plan of giving popular lectures on the useful sciences could be carried into active operation in a capacious edifice. For this purpose a fund has been set apart; but its increase, though constant, has been yet unequal to its object; and the project must be longer delayed, unless we can attract to our rooms the wealth of our city. How many of our opulent citizens daily pass our doors, without reflecting that a small portion of their wealth bestowed upon us would honour themselves, instruct their children, and confer a durable benefit on their native city.

Shall we call upon these men in vain? No.—We are persuaded that they do not assist us because we are not sufficiently presented to their recollection, and that the hour is rapidly hastening when every respectable citizen will be found engaged in the honourable office of enriching and perpetuating our infant establishment.

It will gratify the stockholders to learn, that, during the last year, 832 gentlemen have visited our rooms from every civilized portion of the globe: but if we should consider our institution as no more than the resort of citizens from the wide spreading points of our own nation, how conducive must it be to the cultivation of those feelings which should be cherished in every quarter of the union. Here local prejudices may be dissipated—state jealousies corrected—the practical application of our legislative provisions, which are all derived from a common source, might be compared, and by various other means important approaches would be made to such a state of harmonious co-operation as should tend to perpetuate our peculiar form of government.

Upon the whole, in reflecting that we associated together but five years ago, and considering the present state of our institution, we have not only much reason to rejoice in the success of our endeavours, but also a sure pledge that we shall ultimately attain the object of all our desires.

SAML. EWING,
ROBERTS VAUX, } *Committee.*
BENJ. TILGHMAN,

Communications.

To the Editors of the Philadelphia Register.

GENTLEMEN—The following letter evinces such a manly determination to do justice to our country, and breathes so much grateful recollection, that you will gratify every patriotic heart, by appropriating a corner of your interesting and valuable paper, to this unsolicited refutation of one of the innumerable calumnious misrepresentations of our manners, customs and institutions, for which we are indebted to some of those foreigners, whom we have received and treated with the most generous hospitality.

It is most sincerely to be regretted, that so many individuals of a nation, by whom we

ought to be understood and appreciated, should be so regardless of truth, and so destitute of honourable feeling, as to avail themselves of every opportunity of vilifying our country, and, with serpent-like ingratitude, to wound, with their envenomed tongues, the very bosoms from which they derived warmth.

The independent and gentlemanly conduct, however, of Mr. Incledon, forms so bright an exception to the *general rule*, that justice, as well as national pride, dictates the propriety of perpetuating the recollection of his public and disinterested vindication of the aspersed musical talent of our infant, but happy, enviable and powerful republic.

Unwilling, therefore, to consign this interesting letter of the celebrated songster to the ephemeral columns of a daily newspaper, I am desirous that it should attain a place in the National Recorder.

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Jan. 29th, 1819.

[From the London Morning Post, Dec. 10.]

MR. INCLEDON.

To the Editor of the Morning Post.

SIR—Unwilling, as I always have been to intrude myself on the public, I cannot avoid noticing, with feelings of regret, the misrepresentations which I have observed in the newspapers, since my return from America, upon the state of music in that country; and I avail myself of the first moment of my return to the metropolis to correct this error. I am proud at the same time publicly to express my very high sense of the liberal and enlightened hospitality with which I have been treated every where in the United States. With regard to musical science in America, I must say that I was agreeably surprised at finding it, in every province, in *such high cultivation*. At St. Paul's church, New York, I sung in an Oratorio, which was, throughout, performed in a style which would have done credit to London. If any additional proof were wanting of their real fondness for music, it is to be found in the facility I every where experienced during my tour, where I was offered the use of halls for my performances free of expense. I could enumerate more instances of generosity than your leisure would permit you to read, besides which it might be thought irrelevant to the subject. I must therefore sum up the expression of my feelings in this declaration, that I have never yet been more agreeably surprised than by

my rapid glance at America; and I shall always hold in affectionate remembrance, the country which welcomed me as a stranger, and patronized me with as much ardour as she could have shown had I been her own son. Once more apologizing for obtruding my opinion on the public, I have the honour to be, sir, your obedient humble servant,

C. B. INCLEDON.

FOR THE PHILADELPHIA REGISTER.

Messrs. Editors,

The name of the author of the accompanying poetical effusion has never been satisfactorily ascertained, although the French literati have generally attributed it to Corneille: It matters not, however, to whose pen we are indebted for these lines, for they breathe so much chaste and elegant simplicity, and such exquisite feeling, that they cannot be unacceptable to those of your numerous readers, who possess the slightest knowledge of a language which is at this moment so universally understood. M.

*Philad. Feb. 3d, 1819.**La Feuille Desséchée.*

De la tige détachée
Pauvre feuille desséchée,
Où vas tu? Je n'en sais rien.
L'orage a frappé le chêne
Qui était seul mon soutien.
De son inconstante haleine
Le zephyr ou l'aquilon
Depuis ce moment me promène,
De la forêt à la plaine
De la montagne au vallon.
Je vais, ou le vent me mène,
Sans me plaindre ou m'effrayer;
Je vais, ou va toute chose;
Où va la feuille de rose
Et la feuille du laurier.

For the Philadelphia Register.

HISTORICAL ANECDOTE.

A respectable friend who was present at the time, has lately furnished me with a short conversation between the Chief Justice of the then province of Pennsyl-

vania, and Tedyuscung, a noted Indian chief.

Tedyuscung was well known for his attachment to spirituous liquors—and was in this city, with others of his tribe, who were accustomed to make frequent visits, in order to procure blankets and other articles from the Governor. The Chief Justice was on his return from the court, when he saw the Indian chief, and called out to him—"Well, Tedyuscung, have you left off getting drunk?" The Indian replied, "Chief Justice, have *you* left off hanging people?"

I felt the force of the reply. Even a poor untutored Indian, at *that* day, could see the impropriety and the criminality of taking life for offences, which succeeding times have treated with the happy and salutary correction of privation, labour, and solitary confinement.

A SUBSCRIBER.

[Translated for the Philadelphia Register.]

FROM L'HERMITE DE LA GUIANNE.

THE INSUPPORTABLE MAN.

Avec des talents, de l'esprit, et des vertus, on se rend insupportable dans la société par des défauts légers, mais qui se font sentir à tout moment.—VOLTAIRE.

As I entered the house of Madame de Lorys yesterday, she said to her porter whom she had ordered up, "Did I not tell you, Martinet, to place Monsieur de Volsange on the list of those persons I never receive in the morning?" "Pardon me, madam," said he, "I did; but he entered notwithstanding. It is not my fault; I told him you were not at home, but he said he knew better; that you always were at home to him!"—"Who is this Monsieur de Volsange," said I, "you so cruelly shut your doors against?" "He is a man of quality, of talents, of wit, and what is more, of virtue." "It is then to avoid mortifying others, that you avoid him?" "No; it is because he has a fault that destroys all his good qualities—he is insupportable." "What! with virtue, talents and wit?—In another mouth than yours, madam, such a reproach would not be a satire on him to whom it was addressed." "In the solitude you have lived, my dear Hermit, you have been employed in

weighing men one by one; you have only sought for their intrinsic value, and perhaps have not sufficiently estimated what may be called their relative virtue. You will willingly confess, that man born with the germ of the social qualities in him, cannot find in the state of society, all the happiness his nature is susceptible of. Nature *there* only reserves those rights, which may be put into the common stock, without clashing with the duties society imposes. You wish to be happy, so do I; we all wish so; and this common wish, makes him insupportable, whom we always find armed (were it even with his virtues,) against our self-love and our pleasures." "This, madam, is a definition of an insupportable man, that would make a conspicuous figure in a chapter of Condillac, but according to which, as an impartial judge, I should still hesitate, had I to pronounce between him and his accusers." "A faithful portrait of him will be more likely to bring you over to my opinion, than a metaphysical discussion, where you would have too much the advantage over me.

"Monsieur de Volsange, whom Nature seems to have brought into the world expressly to be in every body's way, finds in his very advantages, a means of fulfilling his destiny. His person is so remarkably tall, that it seems to lessen all who surround him; and it would be much easier for a woman to *hang* on his arm, than to *lean* on it. His features are neither deficient in regularity nor nobleness, but each one is so invariably attached to the place it occupies in his face, that the joy or chagrin of others, never cause in it the slightest alteration. He follows you with his eyes, and never with his thoughts; it is a portrait that looks at, without seeing you. Far from being proud of the high name he bears, his habitual maxim is, "that every man is the son of his own works," and he repeats to all who will listen to him, that he is more proud of the least talent he has acquired, than of the noble blood from which he sprung. This very philosophical text, which he introduces on all occasions, and chiefly in the presence of those, who are personally interested in defending the only prerogative they possess, is certainly not calculated to conciliate their benevolence, and they there-

fore say, with some reason, that he has carried to the highest degree, the pride of not being proud.

"Such is his modesty in this respect, that he did not disdain after the death of his first wife, to render homage to the charms and virtues of her chambermaid; and as she had the wisdom, or prudence, not to listen to the less honourable offers he at first hazarded, he thought it his duty to espouse this Pamela, in order that her virtue might not go unrewarded.

"The ostentation he has shown in braving those useful prejudices, the total forgetfulness whereof, would have so fatal consequences for society, has placed him in a very unpleasant situation in the *grande monde*, where he wishes to associate. He has made vain efforts to present his wife in it; and I have reason to believe, that this circumstance has had a disagreeable influence on their domestic happiness.

"There are two ways of becoming insupportable; by the faults belonging to the character, and by those resulting from the practices. Volsange unites both in himself; one consequence of the pride, or modesty, of which I have just spoken, is that he wishes always to treat on an equality, with his superiors, and his inferiors; a system equally embarrassing to both, and both consequently endeavour to spare their feelings by avoiding him.

"Sincerity is without doubt an amiable virtue: Volsange has found means to make it something worse than a vice.—Without wickedness, without impoliteness, he seems anxious to say to every one, precisely the thing that would displease them the most. Is he in company with a woman, who has still sufficient beauty, to create an illusion respecting her age—he will employ all his talents, to console her for the appearance of a white hair he has discovered on her head, or recall to her recollection, a distant epoch, equivalent to an extract from the register of her birth. The last time we were together at my niece's, where he dined with an academician, elected the evening before, and very happy in being so, he gave him no quarter, until he had proved to him in the most polite manner possible, that academic honours were almost always bestowed on those who merited them the least. He

would believe he flattered the vices, or adopted the errors of those to whom he speaks, if he did not reproach them, (at least indirectly) with them. Determined not to lose an opportunity of saying what he believes the truth, he is never stopped by the fear of wounding a friend, or making a mortal enemy. Without bounds in his praises, or his censures, and always equally sincere, he will praise a man before his face, until he makes him blush, and will declare him without a rival, in the midst of all his rivals.

"Should it happen that any one expostulates with him on this disobliging frankness, he fails not to answer, that he prefers it to the intercourse of falsehood some impose upon themselves, or the stupid silence to which others resort. It is in vain to endeavour to prove to him, that there is a middle path between these extremes, that reciprocal indulgence is one of the relative duties of man in society, and that we must learn to capitulate with ignorance, folly, and self-love, as with an enemy superior in numbers; he will then remain silent, and his silence will not be less disobliging than his words.

"One of the most insupportable whims of Volsange, is, that he believes there are no handsome women, but those to whom he paid attentions: or important events except those in which he figured. His connection with Madam De —, and his *motions* in the constitutional assembly, of which he was a member, are his inexhaustible subjects of conversation. He always introduces them, in season, and out of season; and no matter how far you throw him off, by means of a dozen transitions, which he makes, he soon replaces himself on his ground. He might, perhaps, be pardoned for this monopoly of conversation, as he does not exercise it without talent, if he used terms more varied, or less dogmatical; but he does it in so imperious a manner, and instead of simply stating a circumstance, he *declares it so solemnly*, that he always creates in you an inclination to be of a different opinion from him, even when that opinion is in unison with your own. Does he condescend to ask you a question? You attempt to answer; but he stops you at every word to ask an explanation of it, and then triumphs in the impatience he causes

you. Does some one at table (profiting by the extinction of voice he is happily subject to,) fix the attention of the company by some interesting recital? He will find twenty ways of diverting it, by talking in a low voice to his neighbours, and offering to all the guests, one after the other, a dish before him that nobody wants; he will dispute about proper names or dates, and disconcert the narrator by weakening the point of his story, or announcing, beforehand, the catastrophe of the adventure he relates.

"The essential faults of the character of Monsieur de Volsange, do not, however, contribute as much towards rendering him insupportable, as the numerous little disagreeable habits he brings into his intercourse with society, and of which each one must have his part. Ask Cecilia why she cannot bear him; she will tell you, that he always begs her to dance with him: and not knowing a single figure, he throws all into confusion. The true scourge of concert, he never fails to seize the moment when the ear is most agreeably captivated, to open a door, or walk in the saloon, disturbing every body by the noise of his footsteps. Have you consented to give him a place in your box at the theatre? Do not expect to be permitted to listen to any thing. Does a scene interest you? He proves that it is destitute of common sense.—Talma makes you shudder—Mademoiselle Mars enchants you—Madam Branchu transports you; he will cite to you Lekain, Mademoiselle Contat, and Madam St. Huberti. Does the emotion of the young lady next him move her to shed tears? He makes it his business to destroy the soft illusion, and causes her to blush for her feelings, by ridiculing the object that excites them, during the whole performance; he buzzes in your ear the line they are going to repeat, or hums, on another key, the air they are singing.

"Though Volsange has always frequented the best society, he has, nevertheless, contracted habits which cannot be suffered in it. He will talk in a foreign language before ladies who do not understand it. At table, he talks and gesticulates with his spoon or fork in his hand, and he rarely finishes without leaving some *traces* of his discourse, on the clothes of those who are unfortu-

nately near him. I know some women who have conceived for him a decided aversion, because he takes snuff while eating, and picks his teeth with the point of his knife.

"Even in doing good, Monsieur Volsange has found the secret of becoming insupportable to all those he obliges; and, on more than one occasion, has marshalled the best hearts on the side of ingratitude. The publicity he gives to your necessities, is always the condition of the service he renders, and of which nothing can acquit you; he admits of neither compensation nor prescription, for the gratitude he imposes on you; and, all things considered, it is much better to be his debtor than under obligations to him."

"Truly, Madam, you have sketched the portrait of a very troublesome man, and I can easily conceive the aversion you must feel for him. But I rarely come to your house, without finding there, a certain Monsieur de Nevilette, generally known as a dangerous character, with a heart profoundly corrupted; who is reproached, among other peccadillos, of having killed his best friend in a duel, of having rendered very unhappy a charming woman, and of having basely betrayed his benefactor. His gaiety is, at bottom, nothing but irony: and the *bon ton* he affects, does not hide his vices. Nevertheless, Nevilette is received, and Volsange shunned!"

"It is because the one is *only wicked*; the other is insupportable!" W.

To the Editors of the Philadelphia Register.

I send you the Speech of the King of France to the Chamber of Deputies, as originally delivered. It is fair to give a document of this kind in the language in which it was written; and it is probable that many of your readers will be pleased to see it in its present form.

A SUBSCRIBER.

CHAMBRE DES DEPUTÉS.

DISCOURS prononcé par Le Roi dans la séance royale du 10 de Dec. 1818.

"MESSIEURS,

"Au commencement de la session dernière, tout en déplorant les maux qui pesaient sur notre patrie, j'eus la satisfaction d'en faire envisager le terme comme prochain: un effort généreux, et dont, j'ai le noble orgueil de le dire, aucune

autre nation n'a offert un plus bel exemple, m'a mis en état de réaliser ces espérances. Elles le sont. Mes troupes seules occupent toutes nos places; un de mes fils, accouru pour s'unir aux premiers transports de joie de nos provinces affranchies, a, de ses propres mains, et aux acclamations de mon peuple, arboré le drapeau français sur les remparts de Thionville: ce drapeau flotte aujourd'hui sur tout le sol de la France.

"Le jour où ceux de mes enfans qui ont supporté avec tant de courage le poids d'une occupation de plus de trois années, en ont été délivrés, sera un des plus beaux jours de ma vie, et mon cœur français n'a pas moins joui de la fin de leurs maux, que de la libération de la patrie. Les provinces qui ont si douloureusement occupé ma pensée jusqu'à ce jour méritent de fixer celle de la nation, qui a admiré, comme moi, leur héroïque résignation.

"La noble unanimité de cœur et de sentimens que vous avez manifestée lorsque je vous ai demandé les moyens de satisfaire à nos engagemens, était une preuve éclatante de l'attachement des Français à leur patrie, de la confiance de la nation pour son Roi; et l'Europe a accueilli, avec empressement, la France replacée au rang qui lui appartient.

"La déclaration, qui annonce au monde les principes sur lesquels se fonde l'union des cinq puissances, fait assez connaître l'amitié qui règne entre les souverains. Cette union salubre, dictée par la justice, et consolidée par la morale et la religion, a pour but de prévenir le fleau de la guerre, par le maintien des traités, par la garantie des droits existans; et nous permet de fixer nos regards sur les longs jours de paix qu'une telle alliance promet à l'Europe.

"J'ai attendu en silence cette heureuse époque, pour m'occuper de la solennité nationale où la religion consacre l'union intime du peuple avec son Roi. En recevant l'onction royale au milieu de vous, je prendrai à témoin le Dieu par qui règnent les Rois, le Dieu de Clovis, de Charlemagne, de saint Louis; je renouvellerai sur les autels le serment d'affermir les institutions fondées par cette charte, que je chéris davantage, depuis que les Français, par un sentiment unanime, s'y sont franchement ralliés.

"Dans les lois qui vous seront présentées, j'aurai soin que son esprit soit toujours consulté, afin d'assurer de plus en plus les droits publics des Français, et conserver à la monarchie la force qu'elle doit avoir pour préserver toutes les libertés qui sont chères à mon peuple.

"En secondant mes vœux et mes efforts, vous n'oublierez pas, Messieurs, que cette charte, en délivrant la France du despotisme, a mis un terme aux révolutions. Je compte sur votre concours pour repousser les principes pernicieux, qui, sous le masque de la liberté, attaquent l'ordre social, conduisent par l'anarchie au pouvoir absolu, et dont le funeste succès a coûté au monde tant de sang et tant de larmes.

"Mes ministres mettront sous vos yeux le budget des dépenses que le service public exige. Les effets prolongés des événemens, dont nous avons dû subir ou accepter les conséquences, ne m'ont pas encore permis de vous proposer l'allègement des charges imposées à mon peuple; mais j'ai la consolation d'apercevoir à une distance peu éloignée, le moment où je pourrai satisfaire à ce besoin de mon cœur. Dés-à-présent un terme est définitivement posé à l'accroissement de notre dette. Nous avons la certitude qu'elle diminuera dans une progression rapide. Cette certitude et la loyauté de la France dans l'exécution de ses engagemens établiront sur une base inébranlable le crédit public, que quelques circonstances passagères, et communes à d'autres états, avaient un instant paru atteindre.

"La jeunesse française vient de donner une noble preuve de son amour pour la patrie et pour son Roi. La loi du recrutement s'est exécutée avec soumission et souvent avec joie. Pendant que les jeunes soldats passent dans les rangs de l'armée, leurs frères libérés restent au sein de leurs familles, et les vétérans, qui ont rempli leurs engagemens, rentrent dans leurs foyers: ils sont, les uns et les autres, des exemples vivans de la fidélité désormais inviolable à exécuter les lois.

"Après les calamités d'une disette dont le souvenir attriste encore mon âme, la Providence, prodigue, cette année, de ses bienfaits, a couvert nos campagnes d'abondantes récoltes. Elles serviront

à ranimer le commerce, dont les vaisseaux naviguent sur toutes les mers, et montrent aux nations les plus lointaines le pavillon de France. L'industrie et les arts, étendant aussi leur empire, ajouteront aux douceurs de la paix générale. A l'indépendance de la patrie, à la liberté publique se joint la liberté privée, que la France n'a jamais goûtée si entière. Unissons donc nos sentimens et nos accens de reconnaissance envers l'auteur de tant de biens, et sachons les rendre durables. Ils le seront si, écartant tout souvenir fâcheux, étouffant tout ressentiment, les Français se pénètrent bien que les libertés sont inseparables de l'ordre, que lui-même repose sur le trône, leur seul palladium. Mon devoir est de les défendre contre leurs communs ennemis; je le remplirai, et je trouverai en vous, Messieurs, le secours que je n'en réclamerai jamais envain."

Statistics.

[FROM THE AMERICAN CENTINEL.]

A List of Vessels which arrived at the Port of Philadelphia, direct from India, during the Year 1818, exhibiting the Amount of their Tonnage.

Names.	Captains.	Where from.	Tons.
Bingham,	Myrick,	Java,	375
London Trader,	Harrison,	Canton,	377
Benjamin Rush,	Wiltberger,	Canton,	385
Athens,	Brumly,	Calcutta,	350
Clothier,	Phillips,	Canton,	285
Hope,	Moore,	Canton,	256
Rosalie,	Merry,	Canton,	300
George & Albert,	Donnaldson,	Canton,	349
Natchez,	Warnock,	Batavia,	296
Margaret,	Benners,	Batavia,	292
Phoenix,	M'Kibbin,	Canton,	404
Thos. Scattergood,	Warrington,	Canton,	399
Pacific,	Sharp,	Canton,	332
Atlas,	Girdon,	Bombay,	416
Neptune,	Fisher,	Canton,	292
Delaware,	M'Pherson,	Calcutta,	338
America,	Eldridge,	Batavia,	297
Bainbridge,	Berry,	Calcutta,	368
Total,			6111

[FROM THE ALBANY ARGUS.]

MILITIA.

The following is an abstract of the returns of the militia of this state, as made by the adjutant general.

Infantry	-	-	-	109,294
Artillery	-	-	-	7,326
Light artillery	-	-	-	754
Cavalry	-	-	-	1,142
Total,				118,496

Miscellany.

[From the American Daily Advertiser.]

Bethlehem, Jan. 23, 1819.

MR. POULSON—The enclosed sketch of the life of a Christian Indian named Joshua, who, in the year 1806, was condemned and executed by order of the prophet Tecumseh, as an associate in witchcraft, is by permission copied from a manuscript written by an intelligent friend of mine. By giving it an insertion in your paper you will oblige

Yours, very truly.

NOTE.

"This Indian (Joshua) of the Mohecan tribe, was born in the year 1741, at Watquatnach, an Indian village bordering on the Connecticut river, in New England, where the Brethren at that time had a mission; but the white people some time after becoming troublesome on account of the land occupied by the Indians, which they wanted for themselves, and finally did take from them, the Indian converts, fifty-four in number, besides their children, emigrated, on invitation of the Brethren, to Bethlehem, in Pennsylvania, and afterwards settled on a tract of land purchased by the Brethren for the purpose, about 27 miles distant from that place. Here they built a town which was called Gnadenhuetten.

"The father of the Indian Joshua, who bore the same name, was one of the two first Indians who were baptized at Bethlehem, in the year 1742; count Zinzendorf himself, together with the missionary Buttner, officiating on the occasion. This Joshua, the father, was, from the time of his baptism, unto his death, in 1773, a faithful and useful member of the church, being both a national assistant, or warden, and also interpreter of the sermons preached to the Indian congregation. (See Loskiel's History of the Mission of the United Brethren among the Indians in North America, part III. p. 109.) Joshua, the son, above alluded to, was brought up in the fear of the Lord, and had, from his childhood, been within the pale of the society. He had a genius for learning, both languages and the mechanical arts; was a good cooper and carpenter, could stock a gun nicely, and no one excelled him in building a handsome canoe. He also, with a little assistance from the missionary of the place where he dwelt, (Wyalusing,) made a

spinet, for the use of the congregation, and was the chapel musician, while they resided there, having learnt to play on this instrument and the organ, at the time when the Christian Indians were stationed at Bethlehem, in the years 1756, 57, and 58, during the continuance of the war between the English and French. He spoke both English and German well, and could write letters in either of those languages, especially in the latter. He was very fond of reading in his Bible, Testament, and other religious books. The murder of his two beloved and only daughters, (between the ages of 14 and 18 years,) by Williamson's party, at Gnadenhuetten, on the Muskingum, in 1782, was a hard stroke for him to bear. Often, very often, has he been seen shedding tears on this account, though he was never heard to utter a revengeful sentiment against the murderers. He, however, could not conceal his astonishment, that a people who called themselves Christians, and read the Scriptures, (which *he* supposed all white people did,) could commit such acts of barbarity, and was firmly persuaded, that if all the Indians had the Bible, and could read it, as the converted Indians could, they would be a better people. In later years he served as a chapel interpreter to the Christian Indian flock, on the White River, until the artful Shawanese prophet, Tecumseh, who was an enemy to the preaching of the gospel to the Indians, declared him an associate in witchcraft, which brought him to the pile. While under torture, and as long as life remained in him, he prayed most fervently to God, his Redeemer, though as the Indians, who were present at his martyrdom, said, he did it in a language which they did not understand (probably in German). He expired on the burning pile, aged sixty-five years."

FOURTEENTH REPORT

Of the British Foreign Bible Society.

During the year ending May, 1818, the Society published 5000 Irish Bibles, in the Roman character—5000 Dutch Bibles, and 5000 Dutch Testaments—5000 French and English Testaments—5000 Italian Testaments; besides various editions of the English Scriptures in different forms. And they had (in

May last) preparing, besides English Bibles and Testaments: German Pocket Testaments, 10,000 copies—Portuguese Bibles, 5000—Portuguese Testaments, 10,000—Irish Testaments in the native character, 5000—Malay Bibles in Roman character, 5000—and Malay Testaments, 10,000—4000 Syriac Old Testaments and Hisdostanee New Testaments.

Distributed during the same period, 87,790 Bibles, and 104,300 Testaments.

In fourteen years, the time the Society has existed, it has distributed over 2,000,000 Bibles and Testaments.

Received last year, in subscriptions and donations, 99,586 pounds—and paid for Bibles, &c. to be distributed, 71,099 pounds.

From the London Courier of November 19.

We are enabled to lay before our readers to-day, the following additional particulars relative to that most interesting topic, the recent attempt to discover a Northwest Passage. The account of the newly found people, in those dreary regions, is extremely curious:

"The Jane, captain Young, of Montrose, sailed in company with the Isabella and Alexander, from Lerwick, and learnt from captain Ross the following interesting particulars:—"After the last accounts from the expedition, up to the 25th of July, when they had reached lat. 75, 21, and long. 60, 30, the weather cleared, and the variation of the compass increased so fast, that it became difficult to find out exactly how the ship was steering. The sea, with the exception of some ice-bbergs, being completely clear of other ice, they reached lat. 76½, when they were unexpectedly opposed in their northern progress, by *terra firma*. Here they met with a new race of Esquimaux, who, by their astonishment, appeared never to have seen a ship before. At first, they were much afraid, and made signs for the vessel to fly away, thinking they were huge birds of prey that had descended from the moon to destroy them. A few of the natives, however, were soon noticed on board, when they expressed their awe and wonder by hugging the masts, and other extravagant manifestations of exploration, as if to superior beings; at

other times, on attentively surveying the ships, they laughed immoderately. They were entirely unintelligible to the Esquimaux whom captain Ross took out with him, although they seem to be of the same origin, their physiognomy being similar, but of rather a darker complexion—in their general appearance, language and manners, approaching nearer to the natives of Kamtschatka, or the north-eastern extremity of Asia. Their mode of travelling is on sledges, drawn by dogs, and some of them were seen in this way, going northward. They were in possession of knives, which, it is conjectured, they must have formed from the iron in its natural state, and which may, perhaps, at some future period, become an object of commerce with the natives of these hitherto unknown regions. The weapons they used for killing the smaller species of whales were the horns of the sea-unicorn. Here, then, at the termination of this immense bay, which, till now, has been supposed to communicate with the Polar Basin, an entire new race of human beings has been discovered; and the idea of reaching the Pole, or penetrating into the North Pacific Ocean, by Behring's Straits, through the supposed passage, is forever at rest. The Isabella and Alexander traversed the whole bay, having sailed up the eastern and returned by the western shore—thus proving, that the whole of that vast and unknown country, from Cape Farewell to the Cape Walsingham of Davis, is attached to the continent of America. After all, the traditionary story handed down among the southern Esquimaux, that there is a rapid and narrow river to the northward, which may communicate with the Polar Basin, is, perhaps, founded on reality. Our navigators, in their progress round this dreary bay, saw numerous whales; and due advantage will no doubt be taken of this valuable discovery by the fishers next season."

Public Affairs.

Fifteenth Congress.

HOUSE OF REPRESENTATIVES.

The attention of Congress is still occupied, almost exclusively, by the Seminole war. The report of the military committee is still under

consideration. In support of the resolution of censure, the following gentleman had been heard: Messrs. Cobb of Geo. T. M. Nelson, Johnson of Va. Clay, Storrs of N. Y. Mercer of Va. Colston of Va. Hopkinson, Lowndes, Tyler of Va.—and against it, Messrs. Holmes of Mass. Johnson of K. Smyth of Va. Jones of Ten. Tallmadge of N. Y. Barbour of Va. Sawyer of N. C. Strother of Va. Walker of N. C. Rhea of Ten. Anderson of K. Hugh Nelson of Va. Poindexter.

The course of Mr. Hopkinson's argument was, to give to Gen. Jackson a justification for crossing the Spanish line, and for the occupation of St. Marks; but to declare the seizure of Pensacola and Barrancas to be without justification; especially when connected with his conduct, after they were in his possession, in expelling the Spanish authorities by formal articles of capitulation and establishing a regular government, organized by himself, and treating it as a conquered territory, finally severed from Spain, and annexed to the United States. As to the execution of Arbuthnot and Ambrister, Mr. H. thought the general had a strict military power to treat them as if they had been Indians, and of course to exercise the rigours of savage warfare upon them. At the same time, he strongly reprobated the exercise of the power in this instance.

The opinion expressed by Mr. Lowndes, was, that the House ought to limit its resolutions to the expression of disapprobation as to the seizure of St. Marks and Pensacola. He believed the proceedings in the case of Arbuthnot, not to be justified by the jurisdiction of the United States, but did not consider them as furnishing a case in which, under all its circumstances, it would be expedient that the House should interpose by the expression of its opinion.

Jan. 30.—Mr. Harrison offered the following resolution:

Resolved, That the judiciary committee inquire into the expediency of providing by law for the punishment of crimes committed by persons employed in the armies of the United States, without the limits thereof, and which are not provided for by existing laws.

Mr. Spencer presented for consideration, a resolution to withdraw the public deposits from the Bank of the United States; to refuse their notes in payments to the United States, and to issue a *scire facias*, calling upon the Bank to show cause why the charter should not be forfeited, unless before the first of July next, the Bank should adopt certain regulations as part of its charter, which should give a greater control over the Bank to the government. Mr. S. agreed that it should lie on the table, on the suggestion of Mr. Johnson of Va., who intimated his intention to move, that the committee on the judiciary be instructed to bring in a bill to repeal the charter.

British Treaty.

The United States of America, and his Majesty the King of the United

Kingdom of Great Britain and Ireland, desirous to cement the good understanding which happily subsists between them, have for that purpose named their respective plenipotentiaries, that is to say: The President of the United States, on his part, has appointed Albert Gallatin, their Envoy Extraordinary and Minister Plenipotentiary to the court of France; and Richard Rush, their Envoy Extraordinary and Minister Plenipotentiary to the court of his Britannic Majesty: And his Majesty has appointed the right honourable Frederick John Robinson, Treasurer of his Majesty's Navy and President of the committee of Privy Council for Trade and Plantations; and Henry Goulburn, Esq. one of his Majesty's Under Secretaries of State: Who, after having exchanged their respective full powers, found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I.

Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof to take, dry, and cure, fish, on certain coasts, bays, harbours, and creeks, of his Britannic Majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have, for ever, in common with the subjects of his Britannic Majesty, the liberty to take fish of every kind, on that part of the southern coast of Newfoundland, which extends from Cape Ray to the Rameau Islands on the western and northern coast of Newfoundland, from the said Cape Ray to the Quirpon Islands, on the shores of the Magdalen Islands, and also on the coasts, bays, harbours, and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Straits of Bellisle, and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson Bay Company:— And that the American fishermen shall also have liberty, for ever, to dry and cure fish in any of the unsettled bays, harbours, and creeks, of the southern part of the coast of Newfoundland, here above described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to

dry or cure fish at such portion so settled, without previous agreement for such purpose, with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce for ever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks, or harbours, of his Britannic Majesty's dominions in America, not included within the above mentioned limits: Provided, however, that the American fishermen shall be admitted to enter such bays or harbours, for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

ARTICLE II.

It is agreed that a line drawn from the most northwestern point of the Lake of the Woods, along the forty-ninth parallel of north latitude, or if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection due west along and with the said parallel, shall be the line of demarcation between the territories of the United States and those of his Britannic Majesty, and that the said line shall form the northern boundary of the said territories of the United States, and the southern boundary of the territories of his Britannic Majesty, from the Lake of the Woods to the Stony Mountains.

ARTICLE III.

It is agreed, that any country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains, shall, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects of the two powers: it being well understood, that this agreement is not to be construed to the

prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves.

ARTICLE IV.

All the provisions of the Convention "to regulate the commerce between the territories of the United States and of his Britannic Majesty," concluded at London, on the 3d day of July, in the year of our Lord one thousand eight hundred and fifteen, with the exception of the clause which limited its duration to four years, and excepting, also, so far as the same was affected by the declaration of his Majesty respecting the Island of St. Helena, are hereby extended and continued in force for the term of ten years from the date of the signature of the present Convention, in the same manner as if all the provisions of the said Convention were herein specially recited.

ARTICLE V.

Whereas it was agreed by the first article of the Treaty of Ghent, that "all territory, places, and possessions, whatsoever, taken by either party from the other, during the war, or which may be taken after the signing of this treaty, excepting only the Islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property originally captured in the said forts or places, which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves, or other private property;" and whereas, under the aforesaid article, the United States claim for their citizens, and as their private property, the restitution of, or full compensation for all slaves, who, at the date of the exchange of the ratifications of the said treaty, were in any territory, places, or possessions, whatsoever, directed by the said treaty to be restored to the United States, but then still occupied by the British forces, whether such slaves were, at the date aforesaid, on shore, or on board any British vessel, lying in waters within the territory or jurisdiction of the United States; and whereas differences

have arisen, whether, by the true intent and meaning of the aforesaid article of the Treaty of Ghent, the United States are entitled to the restoration of, or full compensation for, all or any slaves, as above described, the high contracting parties hereby agree to refer the said differences to some friendly sovereign or state, to be named for that purpose—and the high contracting parties further engage the decision of such friendly sovereign or state to be final and conclusive on all the matters referred.

ARTICLE VI.

This Convention, when the same shall have been duly ratified by the President of the United States, by and with the advice and consent of their Senate, and by his Britannic Majesty, and the respective ratifications mutually exchanged, shall be binding and obligatory on the United States, and on his Majesty; and the ratifications shall be exchanged in six months from this date, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms.

Done at London, this twentieth day of October, in the year of our Lord one thousand eight hundred and eighteen.

[L. S.]	ALBERT GALLATIN.
[L. S.]	RICHARD RUSH.
[L. S.]	FREDERICK JOHN ROBINSON.
[L. S.]	HENRY GOULBURN.

REPORT

OF THE CHANCELLOR AND JUDGES OF THE SUPREME COURT.

To the Hon. the Legislature of the State of New York in Senate and Assembly convened; the Chancellor and Judges of the Supreme Court respectfully Report:

That in pursuance of the concurrent resolution of the legislature at the last session, they have reviewed those branches of the statute law which were submitted to their consideration.

The insolvent act of this state and its supplementary provisions, have been examined with care and attention. It was one of the subjects on which they were requested to prepare and report "such amendments as they might deem expedient." But after much reflection be-

stowed upon the system, they have not been able to suggest any essential amendments.

The first general insolvent act was passed in 1784, and alterations and amendments have from time to time been made under the experience and wisdom of the legislature, until the system has attained nearly or quite as much consistency, provision, and improvement as the nature of the subject admits. By the act of 1813, every insolvent debtor is required to make application for relief within the county in which he may be an inhabitant or be imprisoned, and the chancellor and judges have consequently had little or no personal experience for several years past, of the operation of the act. It appears to them not to be susceptible of any material alteration for the better. And judging from their former experience, and from public observation in the course of their judicial duties, they are of opinion, that the insolvent law is the source of a great deal of fraud and perjury. But they are apprehensive that the evil is incurable, and not within the reach of amendments to the act, since it arises principally from the infirmity inherent in every such system, and perhaps in many cases, also from a want of sufficient vigilance and firmness in the persons to whom the administration of this branch of the law is committed.

If we had a suitable bankrupt law applicable to unfortunate merchants and traders, there would be little necessity, and still less utility, in any general and permanent insolvent law. It appears to be a serious question in the federal courts, whether the establishment of bankrupt and insolvent laws does not belong exclusively to the government of the United States, under the authority given to it to establish uniform laws on the subject of bankruptcy. Perhaps the better opinion is, that the state governments may exercise powers of that kind, in the absence of congressional regulations. We are at least of opinion, that state insolvent laws, when they do not infringe on another provision in the constitution respecting the obligation of contracts, are constitutional and valid, and, if we have the power, we should deem it inexpedient at present, to attempt the establishment of any thing like

a bankrupt system for this state. A bill on that subject has been reported to Congress during the present session, and is now pending before them, and we cannot but indulge the hope, that Congress will perceive the importance, and feel the necessity, of exercising on this point the powers entrusted to them by the constitution.

There is no doubt that the commercial interests of this state stand greatly in need of a bankrupt system, which would prevent the debtor, in failing circumstances, from disposing of his property partially among his creditors, or from fraudulently wasting or converting it to his own use. The operation of such a system, if honestly and ably administered, would naturally inculcate a correct sense of the obligation of contracts, and of the duty of good faith. But a permanent insolvent act, made expressly for the relief of the debtor, and held up daily to his view and temptation, has a powerful tendency to render him heedless in the creation of debt, and careless as to payment. It induces him to place his hopes of relief rather in contrivances for a discharge, than in increased and severe exertions to perform his duty.

Our insolvent system of law is intended, not merely for the discharge of the debtor from imprisonment (for on that subject we have other and ample provision,) but its main object is to set him forever free from his debts. There is, perhaps, no other state in the union, which holds out such an easy and tempting mode of procuring an absolute release to the debtor; and we are of opinion, that the system in operation has been, and still is, and probably ever must be, from the very nature of it, productive of incalculable abuse, fraud, and perjury, and greatly injurious to the public morals.

Under the head of inquiry submitted to us, relative to provisions for "the better security of creditors against the frauds of debtors," we would respectfully submit, as the result of our reflections and judgment, the propriety of repealing the insolvent act, with all its supplementary provisions and amendments.

The next subject submitted to our consideration, relates to such legal provisions as we may think proper, relative to imprisonment for debt.

We have carefully examined the several provisions already existing, for the relief of debtors, with respect to the imprisonment of their persons, and very little further improvement can be made upon this head, provided imprisonment for debt is to be in any degree retained. And we should rather infer from the language of the resolution under which we have considered the subject, that a total abolition of imprisonment for debt was not within the contemplation of the legislature, and it would be a measure which we could not recommend.

The object of imprisonment is to coerce the debtor to pay his debts by property within his command, and which cannot be discovered or reached by execution. Another useful object of imprisonment, is the check which it is calculated by its influence to give to the artful or thoughtless creation of debt, without any means or disposition to pay. The frauds upon property which are daily and almost incessantly committing in this way, are equally immoral and distressing with the more open or direct invasions of property by acts of a criminal nature. And without such means of coercion as personal imprisonment, it would appear to us, that persons who had no fixed residence, or had no visible or tangible property, or whose property was exempt from execution, or whose property consisted in money, or bonds, notes and public or corporate stock, or whose property lay out of this state, would be entirely lawless, without any power in the creditor to obtain justice. Considering how very convenient or accommodating imprisonment has been rendered to the debtor, by means of the liberties of gaols; and considering that persons who are not freeholders, and charged with small debts, cannot in any case be imprisoned above 30 or 60 days, and that every person charged in execution for debt, under 500 dollars, may immediately thereafter, and if for any sum above 500 dollars, may, after the expiration of three calendar months, apply and be discharged from imprisonment, on the surrender of his property for the payment of his debts; and considering further, that necessary household furniture, together with a necessary portion of live stock and the produce thereof, is absolutely exempted from execu-

tion, we think we may safely say, that there is as little ground for complaint of the severity of our existing laws in regard to debtors, as in any commercial country upon earth.

It appears to us, as far as our observation and experience have extended, that imprisonment, on execution for debt, is not frequent, unless the debt was contracted in the first instance under deceitful assurances, or unless the debtor has applied his property unfairly, or refused to give to his creditor any reasonable and satisfactory explanation. If the cases were carefully examined, we believe they would generally terminate in this result; for severity towards fair but unfortunate creditors, is no part of the temper or disposition of the times. The security of debts and confidence in contracts, has been so much weakened in public opinion by the operation of our insolvent law, that it would seem to be the debtor, and not the creditor, who has at his command the hopes and fears, the comfort or distress, of the adverse party. And, we are entirely of the opinion, that if it be once well known and generally understood, that those who contract debts must expect to pay them, or that they must be able to satisfy the creditor of their integrity and genuine misfortune, or that they will have to submit to the temporary restraints now imposed by law, and that no other relief was to be afforded, it would have a most salutary effect upon the morals and habits of the community.

We do not therefore perceive, that the law of imprisonment for debt requires any material amendment, and if we were to suggest any alteration, it would be to exempt females altogether from imprisonment, in consideration of their sex.

All which is respectfully submitted.

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